

Announcement of Federal Funding Opportunity

- **Federal Agency Name(s):** Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce
- **Funding Opportunity Title:** Coastal and Estuarine Land Conservation Program (CELCP) – FY2008 Competitive List
- **Announcement Type:** Initial Announcement
- **Funding Opportunity Number:** NOS-OCRM-2008-2000828
- **Catalog of Federal Domestic Assistance Number:** 11.419, Coastal Zone Management Administration Awards/Coastal and Estuarine Land Conservation Program
- **Program Authorities:** 16 U.S.C. 1456d
- **Dates:** The deadline for receipt of proposals through grants.gov or at the OCRM office is 11:59 p.m. EST October 27, 2006. Applications may be submitted electronically at the internet site: <http://www.grants.gov> or by mail to the address listed below.
- **Funding Opportunity Description:** The purpose of this document is to advise eligible coastal states (described below) that OCRM is soliciting proposals for coastal and estuarine land conservation projects for competitive funding under the CELCP. This solicitation will result in a prioritized list of projects that will be submitted to Congress by April 1, 2007, for consideration in the Fiscal Year (FY) 2008 appropriations process. Funding is contingent upon the availability of fiscal year 2008 Federal appropriations. It is anticipated that projects funded under this announcement will have a grant start date between March 1, 2008 and October 1, 2008.
- **Electronic Access:** Information about the CELCP, including Program Guidelines, can be found on NOAA's CELCP website at <http://coastalmanagement.noaa.gov/land/welcome.html>. The full funding opportunity announcement and application materials are available via the grants.gov web site: <http://www.grants.gov>, at NOAA's CELCP website: http://coastalmanagement.noaa.gov/land/celcp_fundingop.html, or by contacting the program officials identified below.

FULL TEXT OF ANNOUNCEMENT

I. Funding Opportunity Description

A. Program Objectives and Priorities

The Coastal and Estuarine Land Conservation Program (CELCP) was established “for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses.” This announcement solicits proposals for land acquisition projects (fee simple interest or conservation easements) that can be completed within 18 months to three years from the start date of the award with the purpose of protecting important coastal and estuarine areas.

Project proposals should reflect the land conservation priorities identified in an approved state CELCP plan or, if a state’s plan has not been completed, by the state’s approved coastal management program. The state’s designated lead agency for implementing the CELCP may solicit, and include in their application, project proposals from additional state agencies, or local governments as defined at 15 CFR 24.3, or entities eligible for assistance under section 306A(e) of the Coastal Zone Management Act (CZMA) (16 U.S.C. 1455a(e)), provided that each has the authority to acquire and manage land for conservation purposes. Coastal states may select and submit up to three projects for this competition. The maximum amount that may be requested for the Federal share of each project is \$3,000,000.

Project proposals should describe how the project supports the purpose of the CELCP, described above. Applicants should identify the primary purpose of the project (whether the project will principally protect ecological, conservation, recreational, historic or aesthetic values) and describe how the project will further this primary purpose as well as other relevant conservation, recreation, ecological, historical, and aesthetic values. The applicant should also discuss how the property is threatened by conversion from its natural or recreational state to other uses, how existing and future uses will be managed consistent with long-term conservation, and the likelihood that the project will be completed in a timely manner. The proposals should describe the applicant’s qualifications (and those of project partners, if applicable) to acquire and manage property for long-term conservation (either directly or through partnership agreements). The proposals should also include a detailed budget estimate that describes the basis for the requested federal funding amount, the proposed land acquisition costs and other costs that directly support the project. The project’s budget estimate should account for both Federal CELCP funds requested and funds to be used as the non-federal matching share.

This competition will result in a prioritized list of projects that are ready and eligible for funding in FY 2008. Each proposal will be reviewed to determine whether proposed costs and uses are consistent with the CELCP guidelines and will be scored by merit reviewers according to the evaluation criteria described in section V of this notice. The CELCP authority specifies that priority be given to lands which can be effectively managed and protected and that have significant ecological value. A project may be given higher priority if it addresses a priority identified in a draft state CELCP plan (see Appendix A for a list of states that are considered, for

the purposes of this competition, to have a CELCP plan). A project may be considered not ready or not eligible if the project is not viable due to elements determined inconsistent with the CELCP guidelines or if receives a very low score in any of the four evaluation criteria areas. This is to ensure that each project selected for funding provides for the protection of significant coastal and estuarine values, is consistent with the program, and can be effectively executed within the performance period and managed and protected for long-term conservation.

The CELCP guidelines establish the eligibility, procedural and programmatic requirements for participation in the CELCP, including the criteria for financial assistance awards under the program. The guidelines, published in the *Federal Register* on June 17, 2003 (68 Fed.Reg. 35860-35869), outline the criteria and process for eligible coastal states to develop a state coastal and estuarine land conservation plan, nominate land conservation projects to a national competitive process, and for NOAA to select projects at the national level for funding. All applications submitted pursuant to this notice must be consistent with the CELCP guidelines except that, for this solicitation, the requirement that states must have an approved CELCP plan will be waived. The CELCP guidelines, published June 2003, can be found at <http://www.coastalmanagement.noaa.gov/land/media/celcpfinal02guidelines.pdf>.

B. Program Authorities

Authority for the CELCP is 16 U.S.C. 1456d.

II. **Award Information**

A. Funding Availability

Funding for projects selected for the prioritized list through this solicitation is contingent upon availability of Federal appropriations for fiscal year 2008. This solicitation announces the opportunity for coastal states to submit up to three project proposals at a requested funding level not to exceed \$3,000,000 per project for projects with a performance period ranging from 18 months to 3 years from the time a grant is awarded. For this solicitation, the total funding will be determined by the number of proposals that are deemed to be ready and eligible, as well as amounts appropriated in FY 2008. Appropriated funding levels for the CELCP have ranged from \$37-\$50 million each year from FY 2003-2006.

It is anticipated that approximately 20-60 projects may be included on a competitively-ranked list of projects that are ready and eligible for funding in FY 2008. Applicants are hereby given notice that funds have not yet been appropriated for this program. In no event will NOAA or the Department of Commerce be responsible for proposal preparation or other project costs if this program fails to receive funding or is cancelled because of other agency priorities.

There is no guarantee that sufficient funds will be available to make awards for all qualified projects. Publication of this notice does not oblige NOAA to award any specific project or to obligate any available funds. If one incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, one would do so solely at one's own risk of these costs not being included under the award.

Publication of this notice does not obligate any agency to any specific award or to obligate any part of the entire amount of funds available. Recipients and subrecipients are subject to all Federal laws and agency policies, regulations and procedures applicable to Federal financial assistance awards.

NOAA is committed to continual improvement of the grants process and accelerating the award of financial assistance to qualified recipients in accordance with the recommendations of the NOAA Program Review Team. If funding is appropriated in FY 2008 for projects recommended through this competition, NOAA will request final grant applications from successful applicants as soon as feasible in order to expedite the grant process (see section VI.A – Award Administration Information).

B. Project/Award Period

The standard financial assistance award period is 18 months, and may be extended an additional 18 months if circumstances warrant, but may not exceed three years (Sec. 5.2 of the CELCP guidelines).

C. Type of funding instrument

Projects are funded as grants. CELCP grants are subject to the terms and conditions described in Section 5 of the CELCP guidelines.

III. Eligibility Information

A. Eligible Applicants

Coastal states with Coastal Zone Management Programs or National Estuarine Research Reserves approved under the Coastal Zone Management Act of 1972 (CZMA) are eligible to participate in the CELCP. The state's designated lead agency for implementing the CELCP is eligible to submit projects for funding under this competition. The state lead agency is presumed to be the lead agency designated for implementing the state's coastal management program, as approved under the CZMA, unless otherwise designated by the Governor. A list of state lead contacts is available on the CELCP website at <http://coastalmanagement.noaa.gov/land/media/celcpstateleadcontacts.pdf>.

The state's designated lead agency may solicit, and include in their application, project proposals from additional state agencies, or local governments as defined at 15 CFR 24.3, or entities eligible for assistance under section 306A(e) of the CZMA (16 U.S.C. 1455a(e)), provided that each has the authority to acquire and manage land for conservation purposes. Interested parties should contact the appropriate state CELCP lead for additional information on the state's project solicitation process.

The state lead agency will be responsible for: soliciting projects that are consistent with land conservation priorities outlined in the state's approved CELC plan or, if a CELC plan has

not yet been approved, a state's coastal management program; reviewing them for completeness; prioritizing them according to state criteria; and nominating up to three projects to the national selection process. The state will be responsible for ensuring that any allocated funds are used for the purposes of and in a manner consistent with this program. Appendix A contains a list of states that completed draft CELCP plans by the time of this competition and are eligible to receive additional credit for projects that address priorities identified within the state's plan.

B. Eligible Projects and Uses of CELCP Funds

The CELCP provides support for acquisition of fee simple interests in lands or conservation easements from willing sellers within eligible coastal states (as defined in "Eligible Applicants," above).

In order to be eligible to compete, a project must:

- be located in a coastal and estuarine area included within a state's CELCP plan, or if a state's plan has not been completed, within the state's coastal watershed boundary as defined in the CELCP guidelines;
- match Federal CELCP funds with non-Federal funds at a ratio of 1:1;
- be held in public ownership and provide conservation in perpetuity;
- provide for public access or other public benefit, as appropriate and consistent with resource protection; and,
- be consistent with a state's coastal management program approved under the CZMA.

To meet the CELCP's national criteria, projects should:

- protect important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses;
- give priority to lands that can be effectively managed and protected and that have significant ecological value;
- directly advance the goals, objectives, or implementation of the states' coastal management plan or program, NERR management plans approved under the CZMA, national objectives of the CZMA, or a regional or state watershed protection plan involving coastal states with approved coastal management plans.

CELCP funds may be used for the following purposes:

- acquisition of properties or interests in properties (conservation easements) from willing sellers, including direct expenses relating to the acquisition of lands under the CELCP;
- direct and indirect costs for administering the grant award (up to the equivalent of 5% of the Federal share), including time spent by staff directly involved in project planning, implementation and review, and certain initial costs for land stewardship incurred during the award period to allow for signage, public safety or other stewardship purposes. If an application includes indirect costs, the total dollar amount of the proposed indirect costs must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency.

The negotiated price of the property or conservation easement should be based on the fair market value determined by an independent appraisal conducted by a state-approved appraiser. Independent appraisals must reflect nationally recognized appraisal standards including the Uniform Appraisal Standards for Federal Land Acquisition (the “Yellow Book”). If an appraisal has not been completed at the time a project proposal is submitted, the applicant may propose a good-faith estimate of the cost for the project based on market value or agreement with the willing seller. However, if the project is selected for funding, the amount of the grant cannot exceed the estimated cost in the project application. An appraisal will be required when a grant application is made to NOAA for projects that have been selected for funding. If the appraised value of the property is higher than the estimated cost in the project proposal, the applicant must make up the difference. More information can be found in Section 4.2.d in the CELCP guidelines.

Allowable grant costs are limited to costs necessary and reasonable to achieve the approved objectives of a grant and must be consistent with general cost principals for grants awarded by federal agencies, as contained in the Office of Management and Budget (OMB) Circular A-87 “Cost Principals for State, Local, and Indian Tribal Governments.” OMB Circular A-87 can be found at http://www.whitehouse.gov/omb/grants/grants_circulars.html.

CELCP funds may not be used for the following purposes:

- funding long-term operations, maintenance, and management of the land (above those costs allowed for initial land stewardship);
- construction of buildings, boat launching facilities, docks or piers, shoreline armoring, or other facilities;
- research;
- outreach and education;
- acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g. non-residents of a community);
- acquisition of lands, or interests in lands, to comply with mandatory or compensatory mitigation for recent or pending habitat losses resulting from the actions of agencies, organizations, companies or individuals;
- the sole or primary purpose of enforcing fish, wildlife, or other regulations, except when necessary for the accomplishment of approved project purposes;
- acquisition of land for active recreation, such as sports facilities, water parks, playgrounds, or similar uses; and
- reimbursement of expenses that have been incurred prior to the start of a grant award, with the following exceptions.

If an applicant incurs costs before the effective date of the grant, they do so at their own risk. Such “pre-award costs” cannot be reimbursed except as approved by NOAA, although they may be counted as match. Applicants may receive reimbursement for costs incurred within 90 days prior to the grant’s start date if they are requested in the application and the applicant can demonstrate it was necessary and reasonable to incur those costs in advance. When approved, pre-award costs may include such costs as those necessary for conducting: environmental assessments, including risk assessments; feasibility surveys; appraisals, title searches or opinions; or preparation of documents needed to satisfy legal requirements, such

as the National Environmental Policy Act. In some cases, with prior approval from NOAA, the cost of land acquisition may be reimbursed as a pre-award cost if the acquisition occurred between the date the project was recommended for funding through the competitive selection process (“selected”) and the date that the grant award was approved by NOAA.

C. Cost Sharing or Match Requirements

Cost-sharing requirements for the CELCP are specified in Section 2.7 of the CELCP guidelines and must meet the eligibility criteria, ownership and stewardship conditions as the Federal share (described above in section III.B.), unless specified otherwise. Federal funds awarded under this program must be matched with non-Federal funds at a ratio of 1:1, with the following exception. The 1:1 matching requirement is waived for any project under \$200,000 for Insular Areas, defined as the jurisdictions of the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Non-federal matching funds may be derived from state, local, non-governmental or private sources in the form of cash or in-kind contributions.

In-kind contributions may include the value of other lands or easements acquired by the grant recipient or donated to the recipient; donated land value (i.e., a “bargain sale” of a property at a price less than full appraised value); or services such as on-site remediation, restoration, enhancement, or donated labor and supplies provided that the in-kind contributions are necessary and reasonable to accomplish the objectives of the project. Such in-kind contributions must be identified in the project application, be completed by the end of the financial assistance award period, and documented as part of the completed project (in the final performance report).

In-kind contributions may also include the value of lands or easements acquired or donated within 3 years prior to submission of the grant application (“banked match”), as described in section 2.7.c. of the CELCP guidelines. For projects funded as a result of this competition, final grant applications would be due to NOAA sometime between January and June of 2008. Therefore, for the purposes of this competition, “banked match” must be incurred no earlier than January through June of 2005, depending on the anticipated date of application.

Lands or easements that are used as match must be:

- held by the grant recipient. Lands owned by another agency or organization (“3rd party”) may be used if a conservation easement is provided to the grant recipient, but in such cases, the donated value would be based on the value of the conservation easement. Lands held by third parties are not eligible as match if the grant recipient does not have a legal interest in the property that can be used to bind the property to the terms of the grant;
- in the vicinity of the property being acquired with CELCP funds or be substantially related in terms of conservation values or have other direct physical or strategic objective connections to the CELCP property
- meet the eligibility criteria, ownership and stewardship conditions described in sections 2.3-2.6 of the guidelines; and
- are not required as compensatory mitigation.

The application should document the value of in-kind contributions, including land and services proposed for use as match, and describe how any property(ies) to be used as match meet the eligibility criteria described above. The value should reflect the price paid at purchase or assessed at the time of donation, and should be supportable based upon an appraisal reflecting nationally-recognized appraisal standards, including to the extent appropriate, the Uniform Appraisal Standards for Federal Land Acquisition.

The value of in-kind services may be used if they are necessary and reasonable to accomplish the objectives of the project, are identified in the project application, and are completed within the grant performance period or specifically allowed as “banked match” (such as qualified “pre-award” costs – e.g. appraisal, title opinion or other documentation related to acquisition of the parcel(s) to be acquired that were incurred more than 90 days before the start of a grant award), and documented as part of the completed project.

See also 15 CFR 24.24 Matching or Cost-Sharing (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) for determining the value of in-kind contributions.

The following costs may not be counted toward the non-federal matching share:

- Costs expended prior to the grant award, unless specifically allowed as “banked match”;
- Lands or services previously used as non-Federal match. Any funds or in-kind contributions, including the value of donated lands or services, that have been previously used to satisfy the matching requirements of this program or that have been or will be used to satisfy another federal grant, may not be counted toward the non-federal matching share;
- Lands or services acquired with Federal funds. Unless otherwise provided by Federal law, the value of property, interests in property or services acquired with federal funding may not be used as non-federal match;
- Cash contribution of Federal funds. Unless otherwise provided by Federal law, funding that originated from Federal sources may not be used as non-Federal match.

Other cost provisions:

- User fees should not be charged to access lands acquired through this program. However, if user fees are charged, they should comply with any applicable state standards for user fees. In such cases, all income or other revenues derived from the fees shall be used for the maintenance or management of the property.
- Leasing or renting of the property or interest in property is prohibited unless specifically authorized by NOAA. All income or other revenues derived from an approved lease or rent arrangement shall be used to maintain or manage property.

D. Title and Ownership

The recipient, or other appropriate public agency designated by the recipient, will hold title to the land, or interests in land (conservation easement), in perpetuity. Title and ownership

of land, or interests in land (conservation easement) used as match must also be held by the same recipient, or other appropriate public agency designated by the recipient, in perpetuity. If the land interest will be held by another public agency, applicants are advised that they remain financially accountable for the funds received and ensuring that the lands remain protected consistent with the terms of the grant.

As a condition of the grant award, NOAA will require that the recipient, or designated public agency, include language in the deed or easement advising that the property has been acquired with federal funds from NOAA or used as match for same, and assurances that the property will be held for conservation in perpetuity. If the property has already been acquired prior to the start of the award (such as in the case of “banked match”) the recipient or other public agency must record and furnish to NOAA a lien, covenant or other appropriate notice of record advising of the same. See section 5.3 of the CELCP guidelines for additional information on special award conditions.

If the property or interest in property acquired with CELCP funds is sold, exchanged, divested, or converted to others uses that are inconsistent with the purposes for which it was acquired, the recipient must return funds back to NOAA. See section 2.6.c. of the CELCP guidelines for additional information.

E. Allowable Uses of Lands

The following activities are considered consistent with conservation purposes under the CELCP:

- Resource protection;
- Restoration and enhancement, such as vegetative erosion control or restoration of natural water flow to the area;
- Low-impact recreational activities, such as hiking, hunting and fishing;
- Access for swimming, canoeing, or kayaking; and
- Research and educational activities

Construction of facilities on a minor scale, such as restrooms or boardwalks, to facilitate uses listed above and/or for the purpose of minimizing harm to coastal resources due to public access and recreation, may be allowed depending on the proposed use of the property and the site environment.

The following activities are considered to be inconsistent:

- Active agricultural (including timber) or aquaculture production; (Note: timbering on a limited scale may be allowed for conservation-oriented purposes such as habitat restoration, for example, to restore a forest that has been managed for timber production to a more native forest type or to create suitable habitat for threatened or endangered species);
- Shoreline armoring or other hard erosion control structures; and

- Construction or expansion of roads, buildings or facilities, except as noted under “eligible uses”, or such facilities for active recreation as sports facilities, water parks, playgrounds, or similar uses.

Pre-existing uses, including term leases or life estates, must be identified as part of the project application. NOAA will review such uses for potential impacts and to determine whether they are consistent with the purposes of the CELCP. If a project is approved with pre-existing uses, such uses may not be expanded or converted to other uses without prior approval of NOAA.

Terms and conditions specified in conservation easements must be consistent with the purposes of the CELCP. NOAA will review conservation easements to ensure that provisions are consistent with allowable uses under the program.

F. Other

CELCP grants are subject to the terms and conditions described in Section 2 (Eligibility Requirements) and Section 5 (Acceptance and Use of Funds) of the CELCP guidelines. If any of the required documentation is not available at the time of a final grant application, NOAA may include special award conditions in the grant that must be met before funds can be released.

IV. **Application and Submission Information**

A. Address to Request Application Package

The full funding opportunity announcement and application materials are available: via the grants.gov website: <http://www.grants.gov>; via NOAA’s CELCP web site under “Funding Opportunities” (http://coastalmanagement.noaa.gov/land/celcp_fundingop.html); or may be requested by contacting the program officials identified below.

TO REQUEST AN APPLICATION PACKAGE OR FOR FURTHER INFORMATION
CONTACT:

CELCP Program Managers: Elaine Vaudreuil, OCRM, 301-713-3155 ext 103, E-mail: Elaine.Vaudreuil@noaa.gov or Elisabeth Morgan, OCRM, 301-713-3155 ext 166, E-mail: Elisabeth.Morgan@noaa.gov.

B. Content and Form of Application Submission

Applications may be submitted electronically through Grants.gov at <http://www.grants.gov>, or a signed original and four copies may be submitted by mail to the address listed below. Each proposal should include all four Required Elements. Supplemental Elements are not required at this time, but may also be submitted with the project application. Applications must be received by the deadline (refer to Submission Dates and Times).

Information regarding this announcement and additional background information is available on the CELCP web site at <http://coastalmanagement.noaa.gov/land/welcome.html>.

1. Proposals

Applications may be submitted electronically through Grants.gov at the internet site: <http://www.grants.gov>, or a signed original and four copies may be submitted by mail to the address listed below. Applicants that do not currently have a grants.gov account are encouraged to begin the process of registering as soon as possible. Any color or high-resolution graphics, unusually sized materials, or otherwise unusual materials submitted as part of the proposal should be submitted by mail. For color graphics, please submit either color originals or color copies. The stated requirements for the number of proposal copies provides for a timely review process. No e-mailed or faxed applications will be accepted.

2. Required and Supplemental Elements

Each proposal should include the following four Required Elements. In addition, the following five Supplemental Elements may be submitted if they are available, but are not required with the proposal. For projects that are selected for funding, Supplemental Elements and other standard forms will be required either at the time a grant application is submitted to NOAA or before grant funds can be released (see section 4.4 of the CELCP guidelines).

REQUIRED ELEMENTS *(for each project proposal)*

(1) Project Description/Scope of Work. The following information should be provided for the project site and any parcel that is to be used as match. The Project Description/Scope of Work should include information on the project site's size, location and relationship to coastal or estuarine features, environmental significance, the legal rights to be acquired, and any conversion threats to the property. The Project Description should specify: the primary purpose of the project (i.e., ecological, conservation, recreation, aesthetic, or historic); how the proposed project meets the state and national criteria and its expected benefits in terms of coastal and estuarine land conservation; what pre-existing uses exist on the property and the nature of those uses; what type of activities are planned for the project site and how the activities are consistent with the long-term protection of the site's ecological or other values. The project description should also describe a strategy for long-term stewardship, including information on how maintenance and enforcement against illegal uses will be supported. Finally, the project descriptions should specify a proposed award period for the grant, and include a project timeline with discrete benchmarks for completing the project within the requested award period. The Project Description/Scope of Work should also include photographs (2-15) of the project site that document the values described in the text of this Element. See the suggested template in Appendix B of this announcement.

(2) Project Budget and Justification of Proposed Costs. The project budget should include a breakdown of project costs and justification. See the suggested template in Appendix C of this announcement. Land acquisition costs should be based on appraised value or other estimate of fair market value. Section 2.5 of the CELCP guidelines outlines

eligible and ineligible uses of CELCP funds. These are also described under “Eligibility Information” in Section III of this announcement. The project budget should also specify whether this project has been submitted in application for other sources of federal funding, and if, so which federal program(s) and year(s).

(3) Project Checklist. The Project Checklist supports NOAA in complying with requirements under NEPA and includes questions that will enable NOAA to determine if a project may have any adverse impacts and whether additional information maybe required to satisfy the requirements of applicable federal laws, regulations or policies. The project checklist can be found in the Funding Opportunities section of the CELCP website at http://coastalmanagement.noaa.gov/land/celcp_fundingop.html and in Appendix D of this announcement.

(4) Project Location and Site Maps. Two maps should be submitted: (1) A regional map showing the general location of the project and; (2) A map of the project site, showing the location and extent of the proposed acquisition and its relationship to significant natural features as well as adjacent land uses.

SUPPLEMENTAL ELEMENTS

The supplemental elements are not required with this proposal, but if the project is selected and funded, these elements and other forms would be required at the time a grant application is submitted to NOAA or before grant funds can be released (see section 4.4 of the CELCP guidelines).

(1) Documentation of Willingness or Intent to Sell. If available, the applicant should submit documentation of any option agreement, signed contract, or letter documenting that a seller is willing to consider or has accepted an offer to purchase, as described in Section 4.2.f. of the CELCP guidelines.

(2) Appraisal. If available, the applicant should submit a self-contained appraisal documenting the cost of the property. The appraisal must be developed in accordance with the Uniform Standards of Professional Appraisal Practice, which can be found on the internet at http://www.appraisalfoundation.org/s_appraisal/sec.asp?CID=3&DID=3 and the Uniform Appraisal Standards for Federal Land Acquisition (“Yellow Book”), which can be found on the internet at <http://www.usdoj.gov/enrd/land-ack/>.

(3) Environmental Assessment or Environmental Impact Statement. (Optional) If available, the applicant should submit any environmental assessment or environmental impact statement that has been done for the project site.

(4) Site Survey/Plat Map. If available, the applicant should submit a survey plat of the project site.

(5) Evidence of Title. If available, the applicant should submit documentation that shows that the seller is the legal owner of the property and identifies any easements or other

encumbrances on the property to be acquired. Examples of such documentation include an attorney title opinion or property report from a title insurance company.

C. Submission Dates and Times

The proposal may be submitted electronically through Grants.gov at the internet site: <http://www.grants.gov> or by mailing an original and four copies of each proposal to Attn: Elaine Vaudreuil, NOAA, Ocean and Coastal Resource Management, National Policy and Evaluation Division (N/ORM7), 1305 East-West Highway, SSMC4, Station 10657, Silver Spring MD 20910.

The deadline for receipt of proposals through Grants.gov or at the OCRM office is 11:59 p.m. EST October 27, 2006. It is strongly recommended that applicants allow sufficient time for delivery of materials, whether electronically or by mail, to OCRM by the deadline. If submitting electronically, applicants are advised to leave time to ensure that the application is correctly submitted; initial processing by grants.gov can take up to 24 hours. If submitting by mail, use of a guaranteed delivery service is preferred due to the potential for security-related delays in delivery of mail sent via standard postal service.

D. Intergovernmental Review

Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs." If the state participates in this process, a list of participating states and the clearinghouse point of contacts can be found at <http://www.whitehouse.gov/omb/grants/spoc.html>.

E. Funding Restrictions

Awards will contain special award conditions that recipients must meet as a term of accepting the grant, such as the requirement to record language in the property deed or conservation easement restricting the use and disposition of the property, as well as to install a permanent sign at the site acknowledging NOAA's funding. Other special award conditions may be included if not already met by the time a final grant application is submitted. A sample list of the conditions can be found at:

<http://coastalmanagement.noaa.gov/land/media/CELCPAttachment3.pdf>.

F. Other Submission Requirements

Eligible coastal states may submit up to three projects for review under this competition. The maximum amount that may be requested for the Federal share of each project is \$3,000,000. Interested parties should contact the appropriate state's CELCP lead for additional information on the state's project solicitation process or any additional state requirements that may apply.

V. Application Review Information

A. Evaluation Criteria for Projects:

I. Importance and/or relevance of proposed project to the program goals. (55 points out of 110)

This evaluation factor ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, federal, regional, state, or local activities. For this competition, this means ascertaining the ecological, conservation, recreational, aesthetic, historical/cultural value of the proposed project as well as the public benefits gained from the long-term protection and management of the property. Projects will be reviewed and ranked according to the degree to which they:

- protect important coastal, and estuarine areas that have significant conservation, recreation, ecological, historical/cultural, or aesthetic values;
- support their primary purpose (whether conservation, recreation, ecological, etc.), as well as the degree to which they contribute to the other values; and,
- advance the priorities within a state's Coastal and Estuarine Land Conservation Plan and the goals, objectives, or implementation of the state's coastal management plan approved under the CZMA, a NERR management plan approved under the CZMA, or regional, state or local watershed protection plan.

Priority will be given to projects that:

- protect lands with significant ecological value, and
- advance the priorities within a state's Coastal and Estuarine Land Conservation Plan or the state's coastal management program approved under the CZMA.

Each applicant should identify the primary purpose of the project as being protection of ecological, conservation, recreational, aesthetic, historic value. A description of the five purposes follows. The other four values will be evaluated as secondary purposes of the project. Applicants should also describe the values provided by any lands proposed for use as in-kind match. For large parcels or projects, for which the CELCP \$\$ is only a portion, please describe the characteristics of the portion of the property or project area that would be acquired with CELCP funding.

Ecological value will be evaluated by the degree to which a project exhibits such features as: exceptional natural habitat quality and species diversity; linkages within an ecological corridor or protection of a large area of unfragmented habitat; provides habitat for threatened or endangered species; supports ecological functions (such as filtering pollutants or flood control); or whether the site is altered by the presence of invasive species, etc. The CELCP authority specifies that priority be given to projects that protect lands with significant ecological value, so this element will receive a higher weighting than the other four values described below.

In order for this criterion to be evaluated, applicants should describe:

- the different habitat types that are found on the project site (e.g. upland forest, scrub/shrub, fields), provide information on the habitat quality, including any impairments such as invasive/exotic species, and provide estimated acreages for the different habitat types;

- the ecological importance of the acquisition for the region, particularly in relation to coastal and estuarine resources and ecosystems. For example, discuss the species diversity on the project site, and/or if the site contains habitat of specific importance to the region, and/or if protecting the site is an important part of protecting ecological connections in the region. If the project site is part of a network of existing or proposed protected areas, describe how the project will enhance linkages among ecologically important areas in the region.
- how the habitat supports, or may support, federal or state listed, threatened or endangered species. For example, does the site provide enough acreage to support a viable population of an endangered species or will it enhance existing protected areas that already provide habitat for a viable population of an endangered species?

Conservation value will be evaluated by the degree to which a project: helps attain the goals of a larger conservation plan or comprehensive plan, even though it may not currently exhibit high intrinsic ecological, recreational value or other values (for example, migratory corridors, setbacks or stream buffers, etc.); has potential to contribute significantly to ecological, recreational or other values if restored; exhibits a strong mix of ecological, recreation, historic and aesthetic values that collectively contribute important benefits to the coastal and estuarine environment that are not provided by those values individually, etc.

In order for this criterion to be evaluated, applicants should describe:

- how the property fits within a larger conservation plan, such as a state's CELCP or coastal management plan or other comprehensive coastal or watershed protection plan;
- how acquisition of the site will help establish corridors and/or linkages among areas of significant conservation, ecological, recreational or aesthetic values that are already protected.
- whether restoration is planned for the site and the potential for successfully restoring the site's ecological values if the site's ecological values are impaired due to circumstances that have affected the site's integrity, (such as invasive/exotic species and/or other alterations such as dikes or clearing for agricultural and silvicultural uses);
- whether the project exhibits a mix of ecological, recreation, historic and aesthetic values that together contribute important benefits to the coastal and estuarine environment that are not provided by those values individually.

Recreational value will be evaluated by the degree to which a project provides opportunities for public access to and/or recreational enjoyment of the coast, and supports plans for addressing public access and coastal recreation needs.

In order for this criterion to be evaluated, applicants should describe:

- the property's significance or contribution with regard to coast-dependent or nature-based recreation and whether the project supports priorities for recreational access identified in a state's CELCP plan or other assessment of needs for coastal recreation;
- whether the coastal access is located in an area of determined need at the local, regional, or national level; and

- whether the project site will be easily accessible to many people and/or whether there will be any limits on accessibility for recreation, for example only allowing guided tours or having the site open only at certain times of the year.

Historic value will be evaluated by the degree to which a project contains significant historical, cultural, or archaeological features, particularly related to historical or traditional use of the coastal and estuarine environment, such as a site or landscape that is: listed in, or eligible for listing in the National Register of Historic Places; designated or eligible for designation as a National Historic Landmark; or designated by a state or local government.

In order for this criterion to be evaluated, applicants should:

- Describe historical, cultural, or archaeological features of significant value, for example, features that are designated or could be designated as a National Historical Landmark or are listed on the National Register of Historic Places or a State or Local Register of Historic places. Please include information about any formal designation the site has received.
- If applicable, explain whether the site contains evidence of historical, cultural, or archaeological features that have not been formally evaluated.

Aesthetic value will be evaluated in terms of the degree to which a project protects scenic vistas looking toward or from the site, or protects sites designated as scenic byways or scenic rivers, or other state or locally designated cultural landscapes

In order for this criterion to be evaluated, applicants should describe:

- the views to be preserved by this acquisition and the contribution this property makes to the surrounding area;
- whether the project protects a site designated nationally as a scenic byway or wild and scenic river or provides a buffer adjacent to a nationally designated site or provides a buffer for these designated areas;
- whether the project supports a local or state designated scenic route, river trail, or other cultural landscape; and
- any other significant contribution(s) this property makes to the aesthetic character of the surrounding area.

Relevance to state CELCP or other conservation plans: In order to evaluate whether a project advances the priorities within a state's Coastal and Estuarine Land Conservation Plan, the state's coastal management program approved under the CZMA or other coastal or watershed planning effort, applicants should describe:

- how the project is part of an integral priority/project area described in a state's CELCP Plan, if applicable (see list of draft state CELCP plans in Appendix A);
- how the project contributes to a state's coastal management plan and/or NERR management plan (if applicable) approved under the CZMA;
- how the project supports a regional and/or state watershed planning effort; and
- how the project supports a local watershed planning effort.

Projects from states that have completed a draft CELCP plan are eligible to receive extra credit for how well a project addresses the priorities specified in the state's CELCP plan. All projects are eligible to receive credit for how well they address each of the other types of plans or planning efforts described above.

II. Technical/Scientific Merit (25 points out of 110)

This ascertains whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives. For this competition, this means projects will be reviewed and ranked according to the degree to which they:

- Can be effectively managed and protected over the long-term to conserve or restore its ecological, conservation, recreation, aesthetic, or historical/cultural values;
- Are threatened by conversion from their natural or recreational state to other uses; and
- Can be executed within the performance period.

Priority will be given to projects that can be effectively managed and protected.

The degree to which a project can be effectively managed and protected over the long-term will be evaluated in terms of land stewardship and/or need for restoration or enhancement, based on such factors as whether: the land is currently in the desired state for its intended purpose (e.g. land with ecological value does not require restoration, control of invasive species or remediation); surrounding land uses are compatible with long-term conservation of the site's values; and proposed uses of the site are compatible with the primary purpose for which the land is to be protected and will maintain or improve the values present on the site. The CELCP authority specifies that priority be given to projects that can be effectively managed and protected, so "manageability" and "long-term use" will receive a higher weighting than the other two elements described below.

To evaluate the manageability of the property, applicants should describe:

- the current use and/or condition of the site;
- the current or proposed uses of the area surrounding the site (e.g. development plans or uses allowed by zoning);
- degree of non-native species found in the different habitats on the project site;
- whether any restoration is needed and planned and whether funding has been secured for that purpose; and
- any environmental remediation that has taken place and/or is needed on the project site.

To evaluate the long-term use of the site, applicants should describe:

- the uses that are proposed for the project site;
- how the uses proposed for the project site are compatible with the primary purpose of the project; and
- how the ecological, conservation, recreation, historic, and aesthetic values present on the project site will be maintained or improved.

Threat of conversion will be evaluated by the degree to which: regional development trends or plans indicate a likelihood that the property will be converted from its natural or

recreational state to other uses; the site has development potential or development plans have been approved by local governing or regulatory bodies; the property is on the market (listed for sale) and/or the current owner has expressed an interest in selling or developing the parcel.

To evaluate the threat of conversion, applicants should describe:

- current development pressures in the project area;
- the development potential of the site, including current zoning and developable area; and
- the current status of the property, such as whether listed for sale and/or whether any subdivision or development plans are pending for the site.

Project readiness will be evaluated by the likelihood that a project can be completed during the performance period, including such factors as whether: sites have been identified, the property is on the market and/or negotiations with landowner have resulted in a purchase/sale agreement; appraisal, title opinion and other documentation have been completed or can be produced within the performance period; and the site has any uncertainties (such as liens or judgments) that are not likely to be resolved within the proposed award performance period.

To evaluate project readiness, the applicant should describe:

- whether parcels or project sites have been identified;
- the stage of discussion with landowners, such as whether preliminary contacts have been made or whether negotiations have resulted (or are likely to result) in a purchase and sale agreement.
- whether supporting documentation has been completed;
- whether the property is subject to litigation, liens, judgments or other situations that may affect the likelihood that a project could be completed within the award period; and
- whether the site has had or currently has contamination or other environmental hazards that must be resolved before it would be suitable for public use.

III. Overall Qualifications of Applicants (10 points out of 110) –

This ascertains whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the project. For this competition, this means projects will be evaluated by the degree to which an applicant has the proven capacity (such as staffing, resources, authority and expertise) and experience to execute the land transaction consistent with CELCP guidelines and, directly or through partnerships, to manage property for long-term conservation of its ecological, conservation, recreation, aesthetic, or historical/cultural values, consistent with CELCP guidelines.

To evaluate the applicant's ability to acquire land, applicants should describe:

- the organization's legal authority, personnel and expertise for acquiring lands for long-term conservation, either directly or through partnerships with another organization; and
- the organization's previous success in acquiring lands, or interests in lands, for long-term conservation purposes.

To evaluate the applicant's ability to manage land, applicants should describe:

- the organization's capacity, in terms of funding, personnel and expertise to manage the property or whether the property will be managed through a partnership or stewardship agreement with another organization; and
- the organization's success in managing other properties for conservation purposes.

IV. Project Costs (20 points out of 110) –

The Budget is evaluated to determine if it is realistic and commensurate with the project needs and timeframe. For this competition, this means the budget is evaluated to determine: if land acquisition costs are reasonable and based on an independent appraisal or other assessment of fair market value; if the source of non-Federal matching funds is consistent with CELCP guidelines and is likely to be available within the performance period; and if direct and indirect costs for implementation of the project, if requested, are reasonable and consistent with CELCP guidelines. As the majority of project costs, greater weight will be given to the evaluation of land acquisition costs and matching funds than to other project costs.

To evaluate land acquisition costs, applicants should describe:

- How land acquisition costs were estimated, for example whether based on independent appraisal or upon another assessment of fair market value;
- Any other direct acquisition-related costs, such as appraisal, title opinion, etc., including whether such costs have already been expended
- The source of matching funds and whether they are in the form of cash, in-kind, or donated land or land value from properties that enhance the proposed CELCP project.
- Whether matching funds are currently available or expected to be available within the performance period;
- For any property(s) that will be used for match, what values the property contributes, how this property(s) relates, in purpose and physical features, to the property that is proposed for acquisition with the federal share, when the match property was acquired, what legal rights were acquired (whether fee or easement), who holds title to legal rights, and the basis for the purchase price (*e.g.* whether based on independent appraisal, etc.); and
- any other administrative costs to be charged to the grant or in-kind services to be used as match to document that they are reasonable and commensurate with the project needs.

For large parcels or projects, for which the requested CELCP funding is only a portion, please explain:

- what portion of the property the CELCP funding would acquire; and
- whether the project would be viable if funding from other sources did not become available within the grant performance period. For example, could the project be completed in phases?

V. Outreach and Education (0 points out of 110) –

NOAA assesses whether the project provides a focused and effective and outreach strategy regarding NOAA's mission to protect the Nation's natural resources. This evaluation factor will not be used for this competition.

B. Review and Selection Process

Once a full application has been received, NOAA will conduct an initial administrative review to determine compliance with requirements, completeness of the application and eligibility of proposed costs and uses of property. All proposals will be evaluated and scored individually in accordance with the assigned weights of the above evaluation criteria by an independent peer mail review or by an independent peer panel review. Both Federal and non-Federal experts may be used in this process. Reviewers will evaluate the proposals, score them based on the criteria listed above, and submit individual ratings to NOAA. Each proposal will be reviewed by at least three reviewers.

Every project will be scored by the same number of reviewers. The scores will be presented to the program officers and averaged for a final score. No consensus advice will be given by the independent peer mail review or the review panel. The program officers will neither vote or score proposals as part of the independent peer review process nor participate in discussion of the merits of the proposal.

The merit reviewers' ratings will be used to produce a rank order of the proposals. Their recommendations and evaluations will be considered by the Federal program officers for NOAA who will recommend to the Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration (the selecting official) that a final list be ranked in order unless the proposal is justified to be selected out of rank order based upon the appropriate selection factors.

The final ranked list will be provided to Congress by the Department of Commerce. Subsequent grant administration procedures will be in accordance with current DOC and NOAA grant administration procedures.

Selection Factors:

The selecting official may choose to recommend a proposal out of rank order based upon:

1. Availability of Funding.
2. Geographic Distribution of Projects and/or Funds.
3. Program Priorities and Policy Factors as set forth in Section IA and IV.B above.
4. Whether this project duplicates other projects funded or considered for funding by NOAA or other federal agencies.
5. Applicant's prior award performance.
6. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations are made to the Grants Officer.

Applicants may be asked to modify objectives, work plans, or budgets, and to provide supplemental information required by the agency prior to approving a final grant application. NOAA will review appraisals to determine if they are in accordance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisition. If the appraisals are not in accordance with these Standards, the Applicant may be

required to obtain further information from the appraiser or get the appraisal revised. Alternately, the project award funding could be adjusted to reflect a lower value.

When a decision has been made (whether an award or declination), summaries of merit reviews and panel deliberations, if any, will be made available to the proposer upon request. Declined applications will be held in the NOS/OCRM for the required three years in accordance with the current retention requirements, and then destroyed.

C. Anticipated Announcement and Award Dates

The review of the proposals will begin in November 2006. The prioritized list should be completed by April 1, 2007, for consideration in the FY 2008 appropriations process. An FY 2008 appropriations bill would likely be finalized in the Fall of 2007. NOAA will request final grant applications for projects selected for funding shortly thereafter. The proposed project timeline should assume a start date between March 1, 2008 and October 1, 2008.

VI. Award Administration Information

A. Award Notices

The applicant will receive notification in spring of 2007 advising them if they have been selected for the FY 2008 priority list. Grants are contingent on availability of funding through FY 2008 appropriations. If funding is made available for selected projects, applicants will need to submit a grant application to NOAA consistent with Section 4.4 of the CELCP guidelines sometime between January and June of 2008.

After submission of a grant application, the notice of award is signed by the NOAA Grants Officer and is the authorizing document. It is provided by postal mail to the authorized representative of the recipient organization (i.e., the individual who signed the application, if the recipient organization has not previously been a NOAA grant recipient). For entities that are already enrolled in NOAA's on-line award management system, award notification and management will be handled electronically. New recipients will receive information about enrolling in this system.

B. Coastal and Estuarine Land Conservation Program Policy Requirements

The project proposal must meet the CELCP guidelines published in June 2003. The Guidelines are located at

<http://coastalmanagement.noaa.gov/land/media/celcpfinal02guidelines.pdf>.

C. Administrative and National Environmental Policy Act Requirements

1. Administrative Requirements

Successful applicants that accept a NOAA award under this solicitation will be bound by Department of Commerce standard terms and conditions. This document will be provided with a

copy of the award by the NOAA Grants Office, and can be found at:
<http://www.osec.doc.gov/oebam/pdf/ST&C-rev-1002.pdf>.

In addition, award documents provided by the NOAA Grants Office may contain special award conditions limiting the use of funds for activities that have outstanding environmental compliance requirements to fulfill, and/or stating other compliance requirements for the award as applicable, such as the required provision of an appraisal, title opinion, and deed language as described in CELCP guidelines, or requirements approved by OMB under control number 0648-0459 for submitting semi-annual progress reports.

Limitation of Liability - In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

2. NEPA Requirements

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals that are seeking NOAA federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov/>, including NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6_TOC.pdf, and the Council on Environmental Quality implementation regulations, http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm. Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems).

In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting an environmental assessment if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for denial of an application.

3. Pre-Award Notification Requirements for Grants and Cooperative Agreements

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the *Federal Register* notice of December 30, 2004 (69 FR 78389) are applicable to this solicitation.

D. Reporting

Financial reports are to be submitted to the NOAA Grants Officer. Performance reports are to be submitted to the NOAA program officer. Financial and performance reports are semi-annual.

VII. Agency Contacts

CELCP Program Managers: Elaine Vaudreuil, OCRM, 301-713-3155 ext 103, internet: Elaine.Vaudreuil@noaa.gov or Elisabeth Morgan, OCRM, 301-713-3155 ext 166, E-mail Elisabeth.Morgan@noaa.gov

Appendix A: List of states that have completed draft CELCP plans

The following states have completed, and submitted to NOAA, a draft CELCP plan by the time of this competition and are eligible to receive additional credit for how well a project addresses priorities contained within the state's plan.

Eligible coastal states not listed here may still participate in the competition, but projects from those states are not eligible to receive additional credit for addressing a state's CELCP plan.

Alabama	North Carolina
California	Northern Mariana Islands
Connecticut	Ohio
Delaware	Oregon
Georgia	Pennsylvania
Maine	Rhode Island
Maryland	South Carolina
Massachusetts	Texas
New Hampshire*	Washington
New York	Wisconsin

** Plan is pending review.*

*Appendix B: Suggested Template for Project Description/Scope of Work***Title of Project****Project Description/Scope of Work**

Below is a suggested format for describing a proposed project. The project description should provide information for the parcel(s) to be acquired or for which an easement is being obtained with CELCP, as well as for matching funds. If the non-federal match will be provided through in-kind contribution of another parcel, the project description should also provide information about the match parcel(s).

Project Size and Relationship to the Coast and/or Estuary – Include the total acreage and length of frontage on coastal waters and/or describe the site's proximity and relationship to a coastal or estuarine area.

Legal Rights to Be Acquired

- Describe if the property will be held in fee simple ownership or if a conservation easement and/or public access easement will be acquired.

CELCP Goals. What values are contained within the proposed project or property to be acquired?

Note: Please identify which ONE of the following values best describes the project's primary purpose for protection under the CELCP – ecological, conservation, recreation, historic, or aesthetic. Please provide any applicable information on how the project contributes to each of these values. Each project will be judged first on how the project furthers its primary purpose and also how well it furthers the other four purposes.

PRIMARY PURPOSE is _____

2. Ecological - Please describe:

- the different habitat types that are found on the project site (e.g. upland forest, scrub/shrub, fields), provide information on the habitat quality, including any impairments such as invasive/exotic species, and provide estimated acreages for the different habitat types;
- the ecological importance of the acquisition for the region, particularly in relation to coastal and estuarine resources and ecosystems. For example, discuss the species diversity on the project site, and/or if the site contains habitat of specific importance to the region, and/or if protecting the site is an important part of protecting ecological connections in the region. If the project site is part of a network of existing or proposed protected areas, describe how the project will enhance linkages among ecologically important areas in the region.
- how the habitat supports, or may support, federal or state listed, threatened or endangered species. For example, does the site provide enough acreage to support a

viable population of an endangered species or will it enhance existing protected areas that already provide habitat for a viable population of an endangered species?

3. **Conservation** - Please describe:

- how the property fits within a larger conservation plan, such as a state's CELCP or coastal management plan or other comprehensive coastal or watershed protection plan;
- how acquisition of the site will help establish corridors and/or linkages among areas of significant conservation, ecological, recreational or aesthetic values that are already protected.
- whether restoration is planned for the site and the potential for successfully restoring the site's ecological values if the site's ecological values are impaired due to circumstances that have affected the site's integrity, (such as invasive/exotic species and/or other alterations such as dikes or clearing for agricultural and silvicultural uses);
- whether the project exhibits a mix of ecological, recreation, historic and aesthetic values that together contribute important benefits to the coastal and estuarine environment that are not provided by those values individually.

3. **Recreational** - Please describe:

- the property's significance or contribution with regard to coast-dependent or nature-based recreation and whether the project supports priorities for recreational access identified in a state's CELCP plan or other assessment of needs for coastal recreation;
- whether the coastal access is located in an area of determined need at the local, regional, or national level; and
- whether the project site will be easily accessible to many people and/or whether there will be any limits on accessibility for recreation, for example only allowing guided tours or having the site open only at certain times of the year.

4. **Historical** -

- Please describe the historical, cultural, or archaeological features of significant value, for example, features that are designated or could be designated as a National Historical Landmark or are listed on the National Register of Historic Places or a State or Local Register of Historic places. Please include information about any formal designation the site has received.
- If applicable, explain whether the site contains evidence of historical, cultural, or archaeological features that have not been formally evaluated.

5. **Aesthetic** - Please describe:

- the views to be preserved by this acquisition and the contribution this property makes to the surrounding area;
- whether the project protects a site designated nationally as a scenic byway or wild and scenic river or provides a buffer adjacent to a nationally designated site or provides a buffer for these designated areas;
- whether the project supports a local or state designated scenic route, river trail, or other cultural landscape; and

- any other significant contribution(s) this property makes to the aesthetic character of the surrounding area.

Relevance to CELCP and Other State/Local Plans

Please describe:

- how the project is part of an integral priority/project area described in a state's CELCP Plan, if applicable (see list of draft state CELCP plans in Appendix A);
- how the project contributes to a state's coastal management plan and/or NERR management plan (if applicable) approved under the CZMA;
- how the project supports a regional and/or state watershed planning effort; and
- how the project supports a local watershed planning effort.

Manageability of the Project Site

Please describe:

- the current use and/or condition of the site;
- the current or proposed uses of the area surrounding the site (e.g. development plans or uses allowed by zoning);
- degree of non-native species found in the different habitats on the project site;
- whether any restoration is needed and planned and whether funding has been secured for that purpose; and
- any environmental remediation that has taken place and/or is needed on the project site.

Long-term Use of the Site

Please describe:

- the uses that are proposed for the project site;
- how the uses proposed for the project site are compatible with the primary purpose of the project; and
- how the ecological, conservation, recreation, historic, and aesthetic values present on the project site will be maintained or improved.

Threat of Conversion

Please describe:

- current development pressures in the project area;
- the development potential of the site, including current zoning and developable area; and
- the current status of the property, such as whether listed for sale and/or whether any subdivision or development plans are pending for the site.

Project Readiness

Please describe:

- whether parcels or project sites have been identified;
- the stage of discussion with landowners, such as whether preliminary contacts have been made or whether negotiations have resulted (or are likely to result) in a purchase and sale agreement.
- whether supporting documentation has been completed;

- whether the property is subject to litigation, liens, judgments or other situations that may affect the likelihood that a project could be completed within the award period; and
- whether the site has had or currently has contamination or other environmental hazards that must be resolved before it would be suitable for public use.

Ability to Acquire Land

Please describe:

- the organization's legal authority, personnel and expertise for acquiring lands for long-term conservation, either directly or through partnerships with another organization; and
- the organization's previous success in acquiring lands, or interests in lands, for long-term conservation purposes.

Ability to Manage Land

Please describe:

- the organization's capacity, in terms of funding, personnel and expertise to manage the property or whether the property will be managed through a partnership or stewardship agreement with another organization; and
- the organization's success in managing other properties for conservation purposes.

Other Pertinent Information

- If available, please include photographs of the project site that document the values described above.

Project Timeline

Please specify a proposed award period for the grant, and include a project timeline with discrete benchmarks for completing the project within the requested award period. The proposed project timeline should assume a start date between March 1, 2008 and October 1, 2008. The standard financial assistance award period is 18 months, and may be extended an additional 18 months if circumstances warrant.

Example: June 1, 2008 – December 31, 2009

Benchmarks: Describe the steps required to bring your project to closure during the timeframe of the award. Include target dates by which you expect to complete each of these steps and close on the property. Examples of benchmarks include:

- Identify site(s) for purchase
- Acquire appraisal, title opinion
- Complete negotiations with landowner(s)
- Submit documentation to NOAA for approval
- Close on property

*Appendix C: Suggested Template for Project Budget***Title of Project****Project Budget and Justification of Proposed Costs**

Below is a suggested format for providing information about the project's budget. Please keep in mind:

- The total budget needs to reflect the 1:1 match requirement.
- Grants from other federal funding sources may not be used to meet state/local match except as allowed by law.
- Match may not have been used previously for any other project.
- If any in-kind match is to be used (including donated land value, staff support or other services, the budget narrative should specify the amount and explain the relevance to the project.
- If the budget includes costs other than purchase price, (such as costs for title opinion, appraisal, environmental assessment, etc.), please explain in the budget narrative.
- The proposed budget should be consistent with the eligibility information described in section III of the Full Funding Opportunity notice.

BUDGET NARRATIVE**Federal share:**

For the parcel(s) to be acquired with CELCP funds, please describe how the project costs were estimated. Please explain:

- what legal rights will be acquired (fee title or conservation easement);
- the basis for establishing the land acquisition costs. If based on appraised value, please explain when the appraisal was conducted and what appraisal standards were used. If based on market price or other estimate of fair market value, please explain the basis for this estimate; and
- any other costs included within the requested Federal share of CELCP funding to document that they are reasonable costs and necessary for the successful completion of the project.

If the requested funding from CELCP is only a portion of the total purchase price of the property, please explain whether or how the project would be viable if remaining funds cannot be secured. For example, could the property be acquired in phases? Would the CELCP funds be used to acquire an easement on a portion of the property?

Non-Federal Matching Funds:

- Describe the source of matching funds and whether they are in the form of cash, in-kind contributions, donated land value (from a bargain sale), or value of lands that were acquired or received as a donation up to 3 years prior to the date of final grant

application that are substantially related to the property to be acquired with CELCP funding.

- If cash contribution, please discuss whether the funds are currently available or expected to be available within the performance period. What is the source of funding? Have actions been taken to secure the necessary funds within the proposed award period?
- If in-kind contribution of land or donated land value, please explain:
 - whether the property has already been acquired (through purchase or donation) and, if so, when,
 - what legal rights were acquired or will be acquired,
 - who holds title to or will hold title to the property or conservation easement,
 - the distance and physical or strategic connection between the match property and the property(ies) to be acquired with CELCP funds; and
 - the basis for establishing the land acquisition costs or donated land value. If based on appraised value, please explain when the appraisal was conducted and what appraisal standards were used. If based on market price or other estimate of fair market value, please explain the basis for this estimate.
- If other in-kind services such as direct staff support, acquisition-related expenses (such as title, appraisal, etc.) or restoration or remediation of the property to be acquired with CELCP funds, please provide details to document that they are reasonable costs and necessary for the successful completion of the project.

Other:

- Will the property be leased or rented? (for example, if already subject to a term lease). If so, please explain how revenues will be used in support of the project.
- Will the public be charged a user fee for access to or activities on the proposed property? If so, please explain how revenues will be used in support of the project.
- Has the proposed project been submitted to or is it currently under consideration by other programs for funding? ___ Yes ___ No.

If yes, which program(s) and which fiscal year(s)? Does the funding requested from other programs duplicate or complement the funding requested under CELCP?

Note: This information will enable NOAA to coordinate with the relevant program to avoid duplication if a proposed project is selected and approved for funding by another program in an earlier funding cycle.

Budget Overview Table – Suggested Format

If the total cost of the project is greater than the requested CELCP funding (plus required matching funds), please identify the costs associated the full project, including funding from other sources. Otherwise, please fill out only the CELCP budget table.

Category	Amount <i>(Note if cash or in-kind value of land/ services)</i>	Funding Source(s) <i>(Include information from all contributors to the project)</i>	Funds Already Expended? <i>(yes/no) If so, when?</i>
	\$		
TOTAL Cost:			

(Suggested Categories: Land, Appraisals, Title Opinion, etc...)

CELCP Budget Table – Suggested Format

Please identify the costs associated only with requested CELCP funding and required matching funds.

Category	Federal Share from CELCP	State/Local Matching Share	Total	Funding Source (for Non-Federal share) <i>- Note whether funding is from cash or in-kind value of land or services</i>	Funds Already Expended <i>(yes/no) When?</i>
Land Acquisition	\$	\$	\$		
TOTAL:					

(Suggested Categories: Land, Appraisals, Title Opinion, etc...)

OMB Control # 0648 -0459
Expires 4/30/2009

Appendix D: Project Application Checklist

This checklist is used: 1) to indicate which materials are included with the project application and 2) to determine whether additional information is needed to comply with requirements of the National Environmental Policy Act or other applicable federal authorities.

The project applicant must complete and sign this Project Checklist and submit it to the National Oceanic and Atmospheric Administration, along with the other required application materials.

Applicant and Project Information

1. State: _____ Award Number: [provided by NOAA]
2. Project Title: _____
3. Project Location (Approximate): (City, County, Major Intersections) Congressional District _____
4. Project Proponent/Applicant (Must be a public entity at the state or local level responsible for executing the project): _____
5. Total Cost: \$ _____ CELCP Federal share (requested amt): \$ _____
CELCP State/Local Match Contributions: \$ _____
Other Federal \$ _____
Other Non-Federal \$ _____

I ATTEST THAT THE STATEMENTS MADE AND OTHER INFORMATION PROVIDED IN THIS CHECKLIST ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

Signature of Applicant

Date

Name of Signatory (please print or type): _____

Title: _____

Address: _____

Phone Number: _____ E-mail _____

Eligibility of Project**6. Project Eligibility:** (Check all that apply)

The proposed project:

- ☐ is located in a coastal or estuarine area (that has been designated as part of a state's approved coastal and estuarine land conservation (CELC) plan or within a state's coastal watershed boundary);
- ☐ matches federal funds with non-federal funds at a ratio of at least 1:1;
- ☐ will be held in public ownership and provide conservation in perpetuity;
- ☐ will provide for access to the general public, or other public benefit, as appropriate and consistent with resource protection.
- ☐ protects important coastal and estuarine areas that have significant conservation, ecological, historical, aesthetic, or recreation values, or that are threatened by conversion from their natural or recreational state to other uses;
- ☐ can be effectively managed and protected;
- ☐ directly advances the goals, objectives or implementation of state coastal management plan or program or NERR management plan approved under the Coastal Zone Management Act (CZMA), national objectives of the CZMA, or a local, regional or state watershed protection plan involving coastal states with approved coastal management programs
- ☐ is consistent with the state's approved coastal management program.

Land Acquisition:**7. Location and Site Maps:** Site location maps are attached. ☐ Yes ☐ No

The applicant should attach a map of the state or coastal county showing the general location of the project, and a map of the project site, which shows the location and extent of the proposed acquisition, as well as relationship to significant natural features (slope, wetlands, dunes, floodplains, access, etc.).

8. Title Opinion and Appraisal:

- a. Documentation of the current owner's intent or willingness to sell at a mutually agreeable price is attached. (This documentation may be in the form of a letter of intent, option letter, contract, or similar form.) ☐ Yes ☐ No
- b. The applicant has obtained and attached an independent appraisal performed by a state certified appraiser. ☐ Yes ☐ No
- c. A title opinion or title insurance report is attached. ☐ Yes ☐ No

9. Public Benefit:

a. The acquisition will be publicly held or under publicly-controlled easement and is for public benefit. The project does not improve private property for private or commercial gain.

_____ Yes _____ No

b. The property will be accessible to the general public. _____ Yes _____ No

c. If the answer to the question above (10.b) is No, check any of the following reasons that apply and explain why access to the property will be limited.

_____ Public Safety _____ Resource Protection _____ Geographically Isolated/Inaccessible

_____ School Outings Only _____ Scientific Research _____ Other (please explain): _____

d. The property will be leased or rented. _____ Yes _____ No If yes, please explain.

e. The public will be charged a user fee for access to or activities on the proposed property.

_____ Yes _____ No

If Yes, provide a description of the user fee which includes: how much, differential fees (if any), the need for the fees, and proposed use of the revenue.

Compliance with Other Federal Authorities**10. State Historic Preservation Officer's (SHPO's) Clearance and National Historic Preservation Act:**

a. The project will affect properties listed on the National Register of Historic Places (www.cr.nps.gov/nr/), eligible to be listed, or otherwise protected by section 106 of the National Historic Preservation Act (www2.cr.nps.gov/laws/NHPA1966.htm) or a similar State Preservation Act. _____ Yes _____ No

b. The Recipient has on file the SHPO's clearance. _____ Yes _____ No (If No, the Recipient certifies, by signing this checklist, that the SHPO clearance is being sought and that work will not begin and land will not be purchased until SHPO clearance is received by the Recipient.)

11. National Flood Insurance Program:

a. Is the project located in a designated special flood hazard area, floodway or "V" zone on a National Flood Insurance Program Floodway Map (www.fema.gov/maps)? ____ Yes ____ No
(If No, go to 11)

b. Is the community in which the project is located in special flood hazard areas shown on an FIA map is participating in the Flood Insurance Program (www.fema.gov/nfip). ____ Yes ____ No

12. Coastal Barriers Resource Act: The project is located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act (www.fws.gov/cep/cbrunits.html).
____ Yes ____ No

If the answer is Yes, provide a brief statement below or attach to this checklist a brief analysis as to how the proposed project is consistent with the three CBRA purposes: to minimize (1) the loss of human life, (2) wasteful federal expenditures, and (3) damage to fish, wildlife and other natural resources.

13. Endangered Species Act: May the proposed project adversely affect threatened or endangered species or critical habitat under the jurisdiction of the National Marine Fisheries Service (NMFS) or U.S. Fish and Wildlife Service (USFWS) as defined by the Endangered Species Act? (www.fws.gov/endangered) or (www.nmfs.noaa.gov/pr/species).
____ Yes ____ No

If the answer is No, provide a brief statement below explaining the basis for the conclusion. If the answer to 12 is Yes, provide a description of the adverse effects (minor and significant effects), the species or habitat affected, and any coordination between the state and the USFWS or NMFS. OCRM will not approve a project that USFWS or NMFS has determined will significantly adversely affect threatened or endangered species or critical habitat.

14. Magnuson-Stevens Fishery Conservation and Management Act.

Does the proposed project include essential fish habitat for federally managed fish?
____ Yes ____ No ____ Not yet determined (please explain).

Could the proposed project have significant adverse impacts on essential fish habitat for federally managed fish? ____ Yes ____ No

15. National Environmental Policy Act:

- a. The proposed project may significantly affect the human environment.
_____ Yes _____ No
- b. The proposed project involves unresolved conflicts concerning alternative uses of available resources.
_____ Yes _____ No
- c. This action would have significant adverse effects on public health and safety.
_____ Yes _____ No
- d. This action will have highly controversial environmental effects. _____ Yes _____ No
- e. This action will have highly uncertain environmental effects or involve unique or unknown environmental impacts. _____ Yes _____ No
- f. The project will have significant adverse impacts on other natural resources not covered elsewhere in this checklist, e.g., beaches and dunes, wetlands, estuarine areas, wildlife habitat, wild or scenic rivers, reefs, or other coastal resources. _____ Yes _____ No
- g. The project will have insignificant effects when performed separately, but will have significant cumulative effects. _____ Yes _____ No

If the answer to any one subpart of 13. is Yes, then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. For items answered Yes, please attach a description of the resource(s) affected and the nature and scope of the effects.

16. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. If the proposed project involves the acquisition and/or modernization of real property, will the proposed project cause the displacement of:

Persons,	_____	Yes	_____	No
Businesses, or	_____	Yes	_____	No
Farm Operations?	_____	Yes	_____	No

If yes to any of the above, please explain: the number of displaced persons, including businesses and farm operations; what fair and reasonable relocation payments and advisory services will be provided to any displaced persons; and what provisions will be made to ensure that safe, decent, and sanitary replacement dwellings will be available to such persons within a reasonable period of time prior to displacement.

17. Handicapped accessibility: Will the proposed project be handicapped accessible?

_____ Yes _____ No _____ N/A

If No or N/A, provide a brief explanation below (or attach separately) as to why the project does is not required to meet ADA handicapped accessibility requirements.

18. Environmental Justice. Will the project have disproportionately high and adverse human health or environmental effects on minority or low-income populations? _____ Yes _____ No**19. State, Local and Tribal Laws.** The project is consistent with state, local and tribal laws to protect the environment. _____ Yes _____ No**20. Contamination/Environmental Hazards (CERCLA/RCRA)**

a. Are there any known or suspected contaminants on the project site? _____ Yes _____ No

If yes, please discuss what type of contamination is on the site, or suspected to be on the site, and the status of clean-up activities.

b. Has the site been investigated, identified and/or designated as having hazardous waste contamination issues by a federal, state, or local agency (for example superfund site)?

If yes, please explain the basis for the designation, the status of clean-up activities, and whether there are any legal liens or judgments affecting the property.

21. Public Coordination

Has the project for which you propose to use CELCP funds been subject to public scrutiny and coordination through a public notice or other public review process? _____ Yes _____ No

If "yes", please describe the results of that process and note when the coordination occurred.

If "no", please explain.

NOAA is requesting this information in order to adequately assess the eligibility of proposed projects. Public reporting burden for this collection of information is estimated to average 10 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Elaine Vaudreuil, OCRM, 1305 East-West Hwy (N/ORM7), Silver Spring, Maryland 20910. This reporting is authorized under P.L. 107-77 and has been approved under OMB #0000-0000. Information submitted will be treated as public record. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.